

STATEMENT OF PURPOSE

RS22120

This bill amends several provisions of the Child Protective Act and the Termination of Parent and Child Relationship Act recommended by the Supreme Court's Child Protection Committee. The Committee brings together judges, prosecutors, public defenders, the Idaho Department of Health and Welfare, Court Appointed Special Advocates and other child welfare experts. These amendments would improve the implementation of the Child Protective Act and the Termination of Parent and Child Relationship Act by: 1) Amending the definition of "aggravated circumstances" to bring the Child Protective Act into compliance with federal law. "Aggravated circumstances" is a term used to describe those cases in which a child has been removed from a parent's care due to very serious abuse or other serious criminal conduct. If the court makes a finding of "aggravated circumstances," the Department of Health and Welfare is relieved of its statutory obligation to make reasonable efforts to provide reunification services to the parent(s); 2) Clarifying the definitions of "protective order" and "protective supervision"; 3) Clarifying the timelines for reunification, guardianship, termination of parental rights and adoption to help children achieve permanency on a timely basis. The term "fifteen of the most recent twenty-two months" is also clarified to ensure that its application is consistent with these time lines and federal law; and 4) Ensuring that child welfare practices that affect substantive rights are clearly set forth in Idaho Code.

FISCAL NOTE

This bill will have no fiscal impact.

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